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COMMISSION ON HUMAN RIGHTS

SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND
PROTECTION OF MINORITIES

Forty-sixth session

SUMMARY RECORD OF THE 15th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 11 August 1994, at 3 p.m.

Chairman: Mrs. ATTAH

later: Mr. BOUTKEVITCH

later: Ms. CHAVEZ

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The meeting was called to order at 3.20 p.m.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII) (agenda item 6) (continued) (E/CN.4/Sub.2/1994/14 and Add.1; 15, 16, 43 and 45; E/CN.4/Sub.2/1994/NGO/5, 9, 11-14 and 22)

1. Mr.SANDERS (International Lesbian and Gay Association) recalled that, on 31 March 1994, the Human Rights Committee had ruled that the rights of lesbians and gay men to privacy and equality were guaranteed by the provisions of the International Covenant on Civil and Political Rights. For those in the lesbian and gay human rights movement, that was the most important decision to date in international human rights law. It had been reached in response to the communication submitted by Nicholas Toonen, a gay rights activist living in the State of Tasmania in Australia. Tasmania was the only Australian jurisdiction to retain criminal prohibitions against homosexual activity, which Mr. Toonen had challenged.

2. The Human Rights Committee had made four important rulings. First, it had decided that the criminal laws interfered with Mr. Toonen's privacy and therefore violated article 17 of the International Covenant on Civil and Political Rights. That decision was consistent with three previous rulings by the European Court of Human Rights regarding criminal laws in Northern Ireland, Ireland and Cyprus. In each of those rulings, the concept of privacy had been used to confirm a right of homosexuals to live their lives as homosexuals without interference, both homosexuals and heterosexuals having the right to personal intimacy and loving relationships. "Privacy" was a principle which guaranteed that right to all.

3. Secondly, the Committee had decided that the fact that the criminal laws were no longer enforced in any regular way was irrelevant. It had found that the existence of the criminal laws had adverse effects on the lives of homosexuals and had noted Mr. Toonen's argument that the very existence of the laws encouraged and supported discriminatory attitudes towards homosexuals.

4. Thirdly, the Committee had held that the criminal law could not be justified on considerations of either public health or public morality. The law was, in fact, in conflict with public-health goals. On the issue of morality, the Committee had rejected the idea that moral issues were exclusively a matter of domestic concern, since that would protect a potentially large number of statutes which interfered with privacy.

5. Fourthly, since Mr. Toonen had also argued his case on the basis of the right to equality, the Human Rights Committee had found that discrimination on the basis of sexual orientation must be considered a form of discrimination on the basis of sex. That ruling brought discrimination on the basis of sexual orientation within the scope of both article 2 (1) and article 26 of the Covenant. That was a remarkable decision, since in many States there had been rulings that cases of discrimination against homosexuals could not be argued on the ground that such discrimination was also based on sex or on family or marital status. That was an approach that isolated lesbian and gay rights

from other parts of human rights law. The Human Rights Committee was therefore to be commended on having integrated homosexual rights issues into the body of modern human rights law.

6. The ruling had immediate consequences for those States which still had criminal laws against homosexual activity and which were also among the 127 States parties to the International Covenant on Civil and Political Rights. India, Romania and the United States of America were examples.

7. The consequences were, however, much broader. If the ruling had been restricted to the "privacy" grounds, then it would have applied only to anti-homosexual criminal laws. However, the most important part of the ruling was the finding on equality of rights, as set forth in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and many other international human rights instruments. Equality and non-discrimination, particularly on grounds of sex, had surely attained the status of principles of customary international law. If so, the Toonen decision was applicable to all States, not merely to States parties to the International Covenant on Civil and Political Rights.

8. His organization therefore called on all States to recognize the important principles established by the Human Rights Committee in the Toonen decision and to end any remaining criminal prohibitions on homosexual activity. A number of States had decriminalized homosexual acts in the past two years, and those States which still had such prohibitions should follow suit, extending equality of rights to their lesbian and gay citizens.

9. Ms. RISHMAWI (International Commission of Jurists) said that the gross violations of human rights and humanitarian law committed in Rwanda and the former Yugoslavia had brought to the public consciousness a point long maintained by international jurists - namely, that perpetrators of such crimes must be brought to justice. Her organization believed that the establishment of an international criminal court would end the tragic situation in which the perpetrators of gross violations of human rights went unpunished.

10. In his report on the human rights situation in Rwanda, the United Nations Special Rapporteur recommended that, pending the establishment of a permanent international criminal court, the United Nations should establish an ad hoc international tribunal on Rwanda or should extend the jurisdiction of the International Tribunal on War Crimes Committed in the Former Yugoslavia to cover Rwanda. Her organization wholeheartedly agreed with that recommendation and believed that it was possible to build on the work of the ad hoc tribunal on the Former Yugoslavia as a direct step towards establishing a permanent international criminal court.

11. In that context, it was pleased to note the practical steps taken towards the prosecution of crimes committed in Rwanda. It welcomed the establishment of a commission of experts to investigate the human rights violations committed in that country and would have liked the composition of the commission to reflect the universal nature of the United Nations. It was an unfortunate precedent that the commission was composed solely of African jurists.

12. For many years, the lack of an international judicial body to deal with international crimes had been at the centre of her organization's concerns. In 1993, at the World Conference on Human Rights, it had formally launched its campaign for the establishment of an international criminal court, which should be a permanent, impartial and independent body associated with the United Nations; be composed of highly qualified, independent and impartial jurists representing all regions of the world; have subject-matter jurisdiction over all crimes under international law, including those listed in the draft Code of Crimes Against the Peace and Security of Mankind; ensure due process and fair-trial guarantees, such as those provided for in article 14 of the International Covenant on Civil and Political Rights; contain an independent and full-time prosecutorial organ to bring charges against accused persons and to collect, prepare and present necessary evidence, and accept complaints from a broad variety of sources, including both States and individuals.

13. Her organization was pleased to note that the International Law Commission had completed its work on the permanent international criminal court, after having been seized of the matter for several decades. In 1993, ILC had prepared a draft Statute, on which her organization had commented. In 1994, the draft had been revised, finalized and explained by a commentary. ILC had adopted that impressive work on 22 July 1994, and it was for the General Assembly to give it practical effect. Her organization had examined the revised draft Statute with interest and was pleased to see that many of the recommendations it had made in 1993 had been taken into account. Nevertheless, certain matters were still subjects of concern.

14. For example, as currently conceived by ILC, the complaint procedure appeared to be limited to States parties to the Statute and/or the Security Council. Absent from the revised draft Statute was a procedure by which victims of violations of international criminal law could lodge complaints. Her organization believed that such a procedure should be included in the Statute. Moreover, the revised draft Statute made a distinction between the crime of genocide and other international crimes. It provided that any State party to the Convention on the Prevention and Punishment of the Crime of Genocide could bring a complaint alleging the act of genocide. In any case other than genocide, however, the revised draft Statute stated that a complaint might be lodged only by the State which had custody of the suspect and by the State on whose territory the act or omission had occurred.

15. Those provisions were unnecessarily restrictive. Her organization considered that a crime against humanity or a grave breach of the laws of war was no less international in its effect than was genocide and that the jurisdiction to deal with it should be no less universal. Thus, a provision analogous to that concerning genocide should be formulated to cover all complaints made to the international criminal court.

16. The revised draft Statute also referred to the crime of aggression, but it was unclear what was meant by that, since the reference to general principles of international law did not resolve the matter. The procedure outlined in the revised draft Statute to deal with such a crime was also a source of concern since a complaint accusing individuals of the crime of

aggression could be lodged only if the Security Council had determined that a State had committed the act of aggression. The sole question for the future court seemed to be whether an individual bore responsibility for a State act already deemed illegal; that determination was to be made by the Security Council, a political rather than a judicial body. Such a procedure could therefore unnecessarily politicize the workings of the court.

17. Those were some of ICJ's main concerns with regard to what was, generally speaking, an excellent and achievable framework for an international criminal court. The Working Group on the Administration of Justice and on Compensation had proposed that the Sub-Commission should urge the General Assembly to consider and adopt ILC's revised draft Statute for the international criminal court as soon as possible. Her organization wholeheartedly agreed with that recommendation and urged the Sub-Commission to endorse it.

18. Mr. VITTORI (Pax Christi International) noted the enormous extent of human rights violations throughout the world, which the international community seemed unable to stop with the limited and sometimes inappropriate means at its disposal. The smallest incident might give rise to a conflagration, especially when it was caused deliberately. In those circumstances, it was inexcusable to leave the criminal free to act and wait until the fire became uncontrollable before beginning to fight it and to organize help for the victims. By failing to react immediately to ethnic purification in the former Yugoslavia or to racial hatred in Rwanda, the international community had permitted the horror to reach abominable proportions.

19. The origin of the genocide in Rwanda could not be imputed to the importation of pangas from China but to the racist propaganda of Radio Mille Collines, which had stirred up a psychosis of fear on which to base its criminal appeals. It was still spreading its poison in the so-called "security zone". He would not name those who ought to and could have acted but, whatever their reasons, what they had hoped to safeguard by their silence was derisory compared with the ravages made possible by their permissiveness. What the drama in Rwanda had shown was also true for other situations in the world, as in the case of Haiti, the Indonesian oppression in East Timor, Acheh and West Papua, Moroccan oppression of the Saharans, Iranian oppression of opponents of the regime, and Saudi Arabian oppression of non-Muslims, not to mention all the dictatorships protected for reasons of State by major democratic powers.

20. Fanatics and unstable people would always exist in the world. The excesses of a minority of psychopaths would have no serious international consequences if they did not find fertile ground for their dangerous nationalist or religious fantasies in social injustice, poverty and the corrupt abuse of power. The height of duplicity was attained when a dominant power, anxious to lose none of its privileges, was facing a counter-power that had strayed into terrorism and, having forcibly arrogated to itself the right to represent the State and draped itself in the flag of national sovereignty, took part in the process of working out rules that ought to have condemned it. It was hardly surprising that, having crushed democracy, such a power should

applaud any proposal designed to restrict the right of non-governmental organizations (NGOs) to secure a hearing for the people of which it claimed to be the sole representative in the United Nations.

21. His organization thus ventured to draw attention to the irreplaceable role of the NGOs, which expressed as best they could the views of oppressed individuals, groups and peoples. They deserved to have their voices heard. In all the tragedies by which the international community had so often been overwhelmed, they had sounded the alarm well in advance and had called for energetic preventive measures which would have avoided the loss of millions of lives and much unjust suffering. They were currently warning of an imminent explosion in Burundi.

22. His organization also wished to express its deep concern regarding the devilish use of religion as an alibi for the commission of intolerable violations of human rights. The latter were indivisible and universal, and the international community should not allow them to be violated, even on a small scale. The earlier the intervention, the more effective and less costly it would be. Unfortunately, little account seemed to be taken of the lessons of history.

23. Ms. PARKER (International Educational Development, Inc.) said that there had been Kashmiri resistance to Indian rule ever since its Maharajah had turned Kashmir over to India, against the wishes of the people, in 1947. The Security Council had sought to restore peace and to hold a plebiscite to determine the future of Kashmir in accordance with the freely expressed will of its inhabitants, but had yet to fulfil its mandate to demilitarize the area and arrange the plebiscite.

24. The Kashmiri people, however, had not abandoned its right to determine its own political future and continued to resist India's annexation, which was maintained only by severe oppression and massive military force. The crisis had worsened steadily since 1990. Her organization had long been concerned with the problem, recently in conjunction with the Congressional Human Rights Foundation. The two organizations had presented their findings to the Commission on Human Rights at its fiftieth session.

25. They had found India's heavy military presence, said to number some 500,000 troops, to be the most striking reality and had verified that India was violating the rules of war by torturing or killing outright Kashmiri fighters entitled to prisoner-of-war status. Civilians, including children, were captured and tortured and were targets of military operations. Rape of Kashmiri women was widespread. Her organization was submitting to the Sub-Commission a 700-page report just released by the Jammu and Kashmir High Court Bar Association documenting thousands of cases that had occurred in a few years. The report contained chapters on the unjustified killings of people by the Indian forces; the forcible occupation of private property and the raising of bunkers in residential areas; the disappearance of persons after their arrest; the killing of women and children; rape, molestation and other atrocities committed against women and young girls; and torture and custodial deaths. The Sub-Commission was urged to examine that document carefully.

26. The only solution for Kashmir was the holding of the plebiscite, in which connection the Sub-Commission could play a truly useful role. As a first step, it should call for a cease-fire and an immediate end to violations of the Geneva Conventions and of human rights in Kashmir; request the High Commissioner for Human Rights to carry out a fact-finding mission in Kashmir with a view to facilitating progress towards the promised plebiscite; demand that India permit international organizations to carry out investigative and assistance programmes freely; and request the Security Council to establish a dialogue between the Governments of India and Pakistan and the legitimate representatives of the people of Kashmir in the light of its own resolutions.

27. Her organization had had members and affiliates in Sri Lanka for many years. In 1990, it had commented on the continuing brutality against the Tamil people and had stated that "forty years is long enough". It had given an historical résumé of events since the late 1940s when the British, who had established unitary rule over historically separate Tamil and Sinhala kingdoms having different ethnic origins, languages, cultures and religions, had handed power over to the Sinhalese majority.

28. The Tamil leadership of the time had tried to work with the Sinhala leadership to create a common Government, but that had never come about. Many Tamils had been disenfranchised and still remained so. Tamils in Government had been slowly forced out. The entire Tamil membership of Parliament had walked out. Subsequently, violence against Tamils had begun to increase sharply. At first, the Tamils had engaged in passive resistance, but events and atrocities had gradually overwhelmed them and they had begun to resist militarily or to flee. A state of civil war had existed at least since 1985 and the numbers of Tamils fleeing to safety outside Sri Lanka had risen substantially.

29. In her organization's view, unitary rule in Sri Lanka was a vestige of colonialism and defied history. It, together with the persistent discrimination and violence against the Tamil people, justified invoking the principle of self-determination, even in the most stringent of statist perspectives. A period of 44 years was quite long enough for a colonially created majority to have learned to abide by human rights and far too long to ask a people to wait for its rights. The principle of territorial integrity should never be used to justify forcing any people to settle for less than the full realization of its rights.

30. Even if a conflict was viewed as a civil war, the relevant international law required other States to be neutral. At very least, the Sub-Commission should call for full compliance with humanitarian standards by the two parties to the conflict and should urge the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam to seek a cease-fire and a political settlement of the dispute.

31. Mr. AL-JADIR (Arab Organization for Human Rights (AOHR)) said that AOHR, the largest human rights organization in the Middle East, had suffered greatly in the past few months. Four members of its Board of Trustees had been subjected to violations representative of what was happening to hundreds and, perhaps, thousands of citizens in the Arab world.

32. On 10 December 1993, Mr. Al-Kikhia, a former Foreign Minister of Libya, had disappeared in Cairo after attending AOHR's General Assembly, where he had been re-elected to the Board of Trustees. AOHR had immediately informed the Egyptian authorities and the United Nations Working Group on Enforced or Involuntary Disappearances.

33. In April 1994, his organization had renewed its call to the Egyptian authorities to continue their efforts to ensure the safe return of Mr. Al-Kikhia and to make public the results of their investigation. It had also requested the Libyan authorities to do their utmost to reveal his fate and to end suspicions. It had also expressed its deep concern regarding the sluggishness of the investigation and had criticized the Egyptian authorities for not having made any public statement, despite AOHR's insistence.

34. Nearly eight months had elapsed since Mr. Al-Kikhia's abduction without any official statement being made regarding the investigation, although Colonel Gadhafi had told Mr. Al-Kikhia's wife that the Libyan and Egyptian security authorities were cooperating to discover his fate. Nevertheless, the disappearance of Mr. Al-Kikhia was not only a blatant violation of his personal right to freedom and security of person but also an indicator of the continuing wave of arbitrary disappearances which was affecting several Arab countries and a threat to human rights activists everywhere.

35. News had also been received that Dr. Al-Marzouki, another member of AOHR's Board of Trustees and former President of the Tunisian League for Human Rights, had been detained by the Tunisian authorities, apparently because of his peaceful expression of his opinions. The Tunisian authorities had taken further arbitrary steps against him, including the cessation of his salary and the disconnection of his telephone. However, on 13 July 1994, they had released him after four months of detention without trial.

36. News had also been received of the assassination of Mr. Fath-Allah, another member of AOHR's Board of Trustees and President of the Algerian League for Human Rights, in Algiers on 18 June 1994. Mr. Fath-Allah had called for the supremacy of law and an end to violence, advocating dialogue, the restoration of normality in judicial institutions, an end to special courts, and the guarantee of individual and group freedoms in Algeria. In that connection, AOHR renewed its condemnation of all kinds of violence and terrorism, whatever their origin, denounced the attacks on human rights activists, and called upon the Algerian authorities to reveal their findings regarding Mr. Fath-Allah's case.

37. In July 1994, Dr. Al-Kadhimi, a member of AOHR's Board of Trustees and President of the Yemeni Organization for the Defence of Human Rights, had survived an assassination attempt.

38. AOHR's most recent annual report pointed to the rapid deterioration of the human rights situation in the Arab world. To obtain the details, reference could be made to the annual report and to the report of AOHR's branches, whose members were facing difficulties similar to those of their parent body. It was paradoxical that the Commission on Human Rights had failed to agree on the text of a declaration on human rights activists, even though over eight years had passed since it had started to consider the

subject. AOHR therefore urged the Sub-Commission to request the Commission to hasten the adoption of the declaration. Human rights activists were being targeted in the Arab countries and in many other parts of the world. That should not be allowed to happen without any form of international protection.

39. Mr. Boutkevitch took the Chair.

40. Ms. AMIR (Women's International League for Peace and Freedom) said that her organization was greatly concerned at persistent grave violations of human rights in Colombia, where extrajudicial executions for political or ideological reasons had been averaging more than 10 per day since 1988.

41. The International Working Group on Human Rights of Colombia, which comprised the various Colombian NGOs active in the field of human rights, had denounced the assassination of Senator Manuel Cepeda Vargas, an untiring fighter for human rights, as confirmation of the State policy of genocide against the opposition, particularly the Patriotic Union party, of which the Senator had been a member. There had been 2,500 murders of activists belonging to that party since its creation in 1985, including presidential candidates, parliamentarians, deputies, mayors and popular leaders. Notwithstanding a plea from the Inter-American Commission of Human Rights to the Colombian authorities that the Senator should be given special protection, those authorities had taken no action.

42. In July 1994, the newly formed COSINGUE paramilitary group which, like other paramilitary groups, was supported by the armed forces, had claimed responsibility for the assassination of three trade unionists in Medellín.

43. In his inaugural speech two days before the assassination of the Senator, President Ernesto Samper Pizano had announced his full support for human rights but nevertheless had decided to maintain the leading role of the armed forces and the police which had been guilty of thousands of violations of human rights during the term of office of his predecessor, President Gaviria.

44. Her organization was concerned at the objections made by the Colombian Government to the law providing penalties for forced disappearances. The provisions objected to were precisely those that stemmed from the international human rights instruments. The message sent by the Government to the armed forces was clearly that they could and must obey orders to arrange disappearances and that such cases would be judged by military courts as acts pertaining to their duties.

45. Consequently, her organization appealed to the Commission on Human Rights to consider the case of Colombia under item 12 of its agenda and to appoint a special rapporteur with knowledge of the situation in Columbia.

46. The situation of human rights in Iran had not improved since the previous session of the Sub-Commission. Women were one of the most oppressed groups in Iran; their situation and status had worsened and their anger and despair had reached a new height.

47. With the establishment of the Islamic Republic of Iran, polygamy had been re-established, with the right of men to marry four permanent wives and an

unlimited number of temporary wives. The minimum age for females to marry was nine. Women could inherit only half as much as men and could not have custody of their children unless there was no father or grandfather. In judicial procedures, the testimony of two women equalled that of one man. In terms of education, most fields of study at the university level were closed to women. The so-called Islamic laws banned women from becoming judges. Women needed their husbands' permission to work or travel abroad.

48. In a nationwide crackdown on vice and social corruption in June 1993, hundreds of women had reportedly been arrested in Tehran for failing to conform to the dress laws of the regime. Many had been flogged and forced to pay fines. Women who broke the rule of hejab were given a document to sign which required them to admit to prostitution and for that they were given up to 80 lashes. Women were frequently stoned in Iran. The rape of women prisoners accused of being anti-regime, especially virgin girls, was a normal practice in Iranian prisons.

49. Her organization strongly condemned the continuous and systematic violations of human rights in Iran, particularly with regard to women, and trusted that the Sub-Commission would continue its consideration of the human rights situation in that country. It also hoped that the appointment of the Special Rapporteur on violence against women would ensure that world attention did not waver from those women who continued to suffer physical and emotional violence as well as the structural violence of institutional discrimination based on gender.

50. Mr. WAREHAM (International Association against Torture) said that the collapse of the Soviet Union had created a vacuum which had not been filled, leaving the United States as the sole super-Power. The result had been that the national interests of that country were influencing the pace and quality of events everywhere. In some cases such influence was clearly evident, in others it was well hidden.

51. In Guatemala, his organization was concerned that, four months after the signature of the Global Agreement on Human Rights in March 1994, there had been no action by the Government to match its words. Two days after the signature, the President of the Constitutional Court had been murdered, in as yet unexplained circumstances. Threats, intimidations and executions continued against the leaders of labour, popular, religious, human rights and press organizations. He therefore asked the Sub-Commission to adopt a resolution requesting the Secretary-General to establish an international mission to verify compliance with the Global Agreement on Human Rights.

52. In South Korea, President Kim's supposed democratic regime had released and/or repatriated few of the North Korean civilians held as political prisoners. There had been no progress towards repealing the National Security Law. Following the recent death of President Kim Il Sung of the Democratic People's Republic of Korea, South Korea had chosen to use the National Security Law to arrest and imprison those of its citizens who wanted to pay their respects to the late President. His organization therefore urged the Sub-Commission to request the South Korean Government to repeal the National Security Law and release all prisoners of conscience, political prisoners and prisoners of war.

53. In Western Sahara, hundreds of Saharans had disappeared under the Moroccan occupation and a human rights organization which had expressed an interest in ascertaining their conditions had been denied access by the Moroccan authorities. The Sub-Commission should thus urge the Moroccan authorities to free immediately the more than 500 detained/disappeared persons in their custody; indemnify the victims; return the bodies of those who had died in custody to their families; lift the blockade imposed on the occupied Western Sahara and provide unrestricted access to the international press and NGOs. It should also be required to prosecute those responsible for such violations of human rights.

54. In Cuba, the United States blockade had been combined with periodic attempts to undermine by other means the political stability of the county as, for example, by manipulation of United States immigration policy. His organization thus asked the Sub-Commission to call for an end to the blockade which had had such dire consequences for the Cuban people.

55. In Iraq, the situation was probably the clearest example of United States machiavellian interests at work. The United States had manipulated competing interests to attain a strategic equilibrium solely designed to benefit its national interests. It had, thus, first supported President Saddam Hussein in the Iraq-Iran war, given tacit approval to the Iraqi annexation of Kuwait and had then launched a war to "punish" Saddam Hussein for that annexation. Support by the United States for opposition movements in Iraq had tapered off once it had become apparent that President Saddam Hussein might be overthrown.

56. The result of the sanctions against Iraq had been mass impoverishment, particularly of the middle classes, and a steady, grinding deterioration in every aspect of life. His organization thus urged the Sub-Commission to ensure that any condemnation of acts against the Iraqi population should include a clear statement of the role played by the United States in the process.

57. In the United States itself, the Government continued to maintain its own domestic forms of racism and colonialism. The 40 million United States residents of African descent represented a de facto separate nation, an internal colony of a modern industrial State. The Black Nation and its members were the daily victims of human rights violations in all spheres.

58. United States violations were not restricted to the African population, however. According to the 1990 census, 30.9 per cent of native Americans, 25.9 per cent of Blacks, 25.3 per cent of Hispanics and 14.1 per cent of Asians were below the poverty level, as compared with 9.8 per cent of whites. Throughout the United States, 45 per cent of indigenous peoples were unemployed while 50 per cent were illiterate. Latinos comprised over 25 per cent of the homeless nationwide, while 40 per cent of those with dwellings lived in sub-standard housing.

59. His organization asked the Sub-Commission to adopt a resolution requesting the appointment of a special rapporteur to investigate the pattern of consistent and persistent violations of the human rights of the minority residents of the United States of America.

60. Mr. GROSSE (International Federation of Human Rights) said that the international NGO commission of inquiry into the events following the assassination of President N'dadaye of Burundi had recently published its report. The report identified those responsible for the deaths of some 50,000 people and threw light on the situation of massive violations of human rights in Burundi and the impunity of the perpetrators. As recently confirmed by the Human Rights Committee, the army, police, gendarmerie and security services had been and still were responsible for such violations and the judiciary was completely incapable of functioning independently.

61. At the end of July 1994, several hundred summary executions had been reported in the province of Muramuya alone; homes had been burned down and the army was continuing its repressive measures. Farmers had abandoned their crops, with the result that a food shortage was expected in the near future. The conflict in Rwanda had led to heavy arms trafficking at the Burundi frontier.

62. The international commission of inquiry had appealed for broad international cooperation with a view to the re-establishment of a State subject to the rule of law, while the Human Rights Committee had urged the international community to make every effort to assist the process of national reconciliation. The Sub-Commission should therefore support the efforts of the High Commissioner for Human Rights and the Centre for Human Rights as a matter of extreme urgency.

63. In Togo, there had been a serious deterioration in the situation and the already difficult process of democratization had been interrupted. The Human Rights Committee had rightly found that there had been gross and systematic violations of articles 4, 6, 7, 9, 10 and 14 of the International Covenant on Civil and Political Rights. The increase in extrajudicial executions was particularly deplorable. Responsibility for the violations rested firmly with the army and security services, which enjoyed absolute immunity. Threats to journalists had prevented any public disclosure. It was most disquieting that a portion of the population was trying to obtain arms to defend itself. His organization thus urged the Sub-Commission to recommend to the Commission on Human Rights that it appoint a special rapporteur on Togo.

64. In Chad, there had been some terrible killings over the past year as a result of impunity, intolerance and ethnic discrimination. National cohesion was threatened by the ethnic antagonisms encouraged by the current regime. There had been 1,600 summary executions in a number of places, carried out mainly by members of the Republican Guard, a body which had no legal existence and consisted exclusively of members of the clan of the Head of State.

65. Forced disappearances, arbitrary detentions and torture were rife. Human rights activists were specially targeted and the President, Vice-President and Treasurer of the Moissala cell of the Chad League of Human Rights had been arbitrarily arrested. It was also a matter of concern that the civic education campaign initiated by the Collective of Human Rights Associations had been outlawed by the Head of State. The prohibition had been extended to cover all the action programmes of the human rights associations in the country.

66. While his organization welcomed the recent ratification by the Chad authorities of the Convention against Torture, it was all too well aware that the actions of the authorities were in flagrant contradiction of the international instruments they had signed. It thus urged the Sub-Commission to condemn strongly the massive violations of human rights for which the Chad authorities were responsible and to recommend that the Commission on Human Rights should establish a monitoring mechanism.

67. His organization was still very concerned at the continuing violations of human rights in Guatemala, particularly violence against human rights activists. The Human Rights Commission of Guatemala had identified, in the period 6 June to 13 July 1994 alone, 207 cases of individual extrajudicial executions, 50 cases of collective extrajudicial executions, including 108 cases of suspected torture, 38 enforced disappearances, 2,299 cases of arbitrary detention, 466 death threats or attempted murders. Members of the armed forces and the civil self-defence patrols had been the main perpetrators.

68. His organization thus urged the Sub-Commission to ask the Guatemalan authorities to investigate and prosecute those violations of human rights and to request that the United Nations verification commission, provided for in the Global Agreement on Human Rights signed on 24 March 1994, be established immediately.

69. His organization wished once again to draw attention to the continuing flagrant violations of human rights in the People's Republic of China, where the authorities had recently escalated their repression of dissidents. On 1 June 1994, new regulations had declared that any statement harmful to State security was an act of sabotage, while any cooperation with an NGO outside the country was a crime.

70. The trial of the "Beijing 15" on 14 July 1994 was a prime example of the deterioration in the situation in China. The 15 had been held in incommunicado detention for almost two years; they had not been permitted legal counsel until a few days before the trial and, in some cases, not at all. They had been accused of a counter-revolutionary crime for belonging to political or trade-union organizations. Some risked minimum sentences of five years' imprisonment.

71. Abortion and forced sterilization campaigns continued to affect millions of persons. In order to respect the "single child" quota, women were forced to suffer compulsory abortions in the last months of pregnancy. In December 1993, the Government had submitted a bill which provided for abortion in cases of genetic or mental deficiency and the sterilization of a husband after the birth of a child which did not satisfy the criteria thus established.

72. It was the duty of the Sub-Commission to request the unconditional and immediate release of all prisoners of conscience in China and to denounce, in the strongest possible terms, practices linked to the Chinese policy of birth control.

73. Mr. MEJIA (World Organization against Torture) said that his organization was concerned at the risk of a Rwandan-scale tragedy in Burundi, where the same political and manipulative forces were at work. The same was true of Zaire, where extreme violations of human rights were perpetrated in a climate of impunity for those responsible. The Sub-Commission should thus support the appeal of the High Commissioner for Human Rights for urgent aid for Burundi and should urge the international community to undertake a massive regional assistance programme covering social rehabilitation, the establishment of pluralistic States subject to the rule of law and the creation of independent and impartial judiciaries.

74. In Mauritania, the authorities were still refusing to investigate the massive expulsions, deaths and cases of torture which had taken place between 1989 and 1991, and had granted amnesty to the military and police forces. The authorities continued to block the return of 65,000 refugees from Senegal and Mali. The Sub-Commission should adopt appropriate measures to secure the return of the refugees and the cessation of discriminatory and repressive practices.

75. His organization wished to stress the contradiction involved in Turkey's adherence to a number of international instruments while the human rights of the civil population were being systematically violated on a massive scale within the country.

76. The effects of violent inter-Kurd confrontations in southern Kurdistan were being aggravated by the repressive action of the Iraqi military and security forces against the civil population. The population of Iraq itself, particularly opposition and religious sectors, continued to suffer in a climate of insecurity and repression. The Iranian authorities were reported to be following a similar course, particularly against the Kurdish population, including the assassination of religious leaders and political opponents living abroad.

77. His organization hoped that the Sub-Commission would urge the authorities of those States to collaborate with United Nations monitoring organs and permit interested NGOs to visit the country. It should also appeal to the Turkish authorities to make sincere efforts to achieve a peaceful settlement of the internal conflict.

78. A substantial number of Saharan and Moroccan citizens continued to be held and tortured in secret detention centres in Morocco. Morocco moreover continued to place obstacles in the way of the planned referendum. The Sub-Commission should urge the Moroccan authorities to grant unconditional freedom to the detainees and permit access to the occupied Saharan territories.

79. In recent months, the human rights situation in Tunisia had deteriorated seriously in terms of arbitrary and preventive detentions, torture and restrictions on freedom of opinion. The Sub-Commission should urge the authorities to put an end to such practices.

80. The Sub-Commission should urge the international community to make sincere efforts to find a peaceful solution to the situation in Haiti.

81. The situation in Peru had deteriorated as a result not only of the continuing terrorist activities of the Sendero Luminoso (Shining Path) movement and the Tupac Amaru movement but also of indiscriminate action by the security forces against the civil population in a climate of impunity. The Sub-Commission should urge the authorities to comply fully with their international obligations in the field of human rights.

82. The situation in Guatemala continued to be serious and the Sub-Commission should appeal to the authorities to comply with the obligations they had contracted in the March 1994 Agreement. The United Nations should also accelerate the setting up of the verification commission provided for in that Agreement.

83. In Colombia, responsibility for continuing extrajudicial executions and enforced disappearances lay squarely with the State.

84. Mr. ROSSI (International Association for the Defence of Religious Liberty) said that violations of human rights originating in religious extremism were on the rise. Algeria, a country paralysed by religious terrorism, was a sad example. In the Islamic Republic of Iran, human rights violations continued under a theocratic regime. The Baha'is could not count on any legal protection and the murder of a Baha'i was not punishable by law. Three Protestant ministers had been killed there in the past two months.

85. In the Sudan also, there were massive human rights violations provoked by religious extremism. The Special Rapporteur of the Commission on Human Rights had even been accused by the Sudanese authorities of adopting an offensive and blasphemous attitude towards the official religion, simply because, as he was duty-bound to do, he had pointed out that various laws were not in keeping with the international treaties to which Sudan was a party.

86. In Greece, under pressure from religious extremists, Parliament had passed a law requiring that a person's religion be recorded on the new national identity cards. The European Parliament had twice asked the Greek Government to abrogate that provision, but without result.

87. The Sub-Commission should take up the subject of religious intolerance annually instead of biennially. It should also advise the Commission on Human Rights concerning those countries which were massively and systematically violating human rights because of religious extremism as, for example, Saudi Arabia.

88. Ms. Chavez took the Chair.

89. Mr. BUCKINGHAM (Baha'i International Community) said that the Government of the Islamic Republic of Iran continued to wage a systematic campaign to eradicate the Baha'i religious community from the land of its birth. For 15 years, the Baha'is in Iran had endured a wide-ranging and organized assault on their basic human rights, including execution, imprisonment and torture. Since 1979, 201 Baha'is had been killed and 15 others had disappeared and were presumed dead. Currently, eight Baha'is were in prison for their beliefs, some under sentence of death.

90. For 15 years, the Baha'is had been suffering from economic strangulation. More than 10,000 of them had been dismissed from positions in the civil service and education sector. Baha'is were not officially allowed to open their own businesses and many Baha'i farmers were denied admission to farming coopératives. Confiscation of property was a recurrent pattern. He referred, in that connection, to new economic pressure currently being exerted on the Baha'is in Mashhad. Young members of the Baha'i community had been denied access to higher education, and Baha'is had encountered difficulties in burying their dead.

91. As far as civil rights and liberties were concerned, Baha'is were still "non-persons" with no protection under the law. In the absence of any form of recognition, overt and violent persecution, which had lessened in recent years, might, unannounced, erupt once more. The Government's response had been to label the 300,000 adherents of the Baha'i faith in Iran as members of a "subversive political organization" and a base for espionage - an unfair and unfounded charge.

92. The Baha'i community in Iran posed no threat to the authorities there. Despite the fact that the Baha'is had no clergy, they had acquiesced in the decision by the authorities to dissolve all of the community's administrative institutions some 10 years previously, simply so as not to disobey a government edict. That the persecution of the Baha'is in Iran was motivated by religious intolerance was incontrovertible; it was also an orchestrated government policy.

93. Ms. OZDEN-NEURY (Centre Europe-Tiers Monde), referring to the regularly occurring tragedies in which States were responsible for acts of individual exaction and/or collective repression, cited the violations of the human rights of the Saharan people in the areas of Western Sahara occupied by Morocco.

94. Another case was Sri Lanka, whose authorities had reached an agreement with the Swiss Government for the return of some 12,000 Tamil asylum-seekers currently in Switzerland. Their situation would be very dangerous if they returned to Sri Lanka, since the very fact of their having fled abroad placed them in the category of the Government's adversaries. If European States, such as Switzerland, really wanted to limit the numbers of Tamil asylum-seekers and wanted those Tamils already in Europe to return home, they would have to tackle the root causes of the Tamils' departure rather than just the symptoms. Tackling the root causes meant proposing solutions to stop the political and ethnic violence and conclude a just peace on the island.

95. As for the State terrorism practised by the Islamic Republic of Iran, there seemed to be no consensus on the part of other States as to how such terrorist acts, which were still continuing, should be handled.

96. The case of Haiti and the alleged determination of the international community to return that country to constitutional rule was rather perplexing. It was true that widespread violations of human rights were occurring there, but that was the case in many countries through the world and the recent Security Council resolution, authorizing military force, set a delicate precedent. The possibility of a United States intervention seriously called

into question the role of the United Nations which was giving that Power the green light, despite the fact that military intervention in Haiti had not been unanimously approved by the members of the Organization of American States.

97. Her organization was indignant at the tragic fate of the Haitian boat people, and found it difficult to comprehend why Cuban boat people were treated so differently unless, as President Clinton's special adviser on Haiti had suggested, the differential treatment had at least something to do with skin colour.

98. Mr. DAUD (Liberation) said the large-scale systematic torture being perpetrated at every level of the military command structure of the Javanese ("Indonesian") occupation troops against the indigenous people of his country, Acheh/Sumatra, had been confirmed by the latest report of the United Nations Special Rapporteur cn Torture. Arbitrary arrests, torture and summary executions were still the order of the day.

99. Acheh/Sumatra was a colonial and dependent country, colonized by an alien overseas Power, namely, the island of Java which called itself the "Republic of Indonesia". That Javanese Republic of Indonesia was the successor State to the former colonial empire of the Dutch East Indies. None of those separate colonial territories had ever been returned to the respective indigenous peoples in the manner prescribed by the principles of decolonization. Instead, all the territories conquered by the Dutch colonialists had been handed over, lock, stock and barrel, to their former mercenaries, the Javanese, in Jakarta.

100. Only the name had been changed. Indonesia was the largest colonial State still in existence. It sat on the Commission on Human Rights and justified its massive violations of the human and national rights not only of the people of Acheh/Sumatra but also of the victimized peoples of East Timor, West Papua and the South Moluccas.

101. Ms. KEYHANI (International Falcon Movement) said she wished to draw attention to the continuing flagrant violations of human rights perpetrated by the Government of the Islamic Republic of Iran. Those crimes included the murder of Christian clergy, State-sponsored terrorist acts, the murder of dissidents abroad, the imprisonment and torture of children, and the continuing oppression of women.

102. Among the Christian clergymen murdered by the Iranian secret service were Bishop Hovsepian-Meher, who had been outspoken in condemning the persecution of evangelical Christians. His death had been meant to set an example to all those fighting for the freedom of religions. Tateos Michaelian, a 62-year old Presbyterian preacher who had been acting chairman of the Council of Protestant Ministers in Iran, had also been found murdered, as had Pastor Mehdi Dibaj, who had been released from jail only after extensive international pressure. Those murders formed part of an overall plan to suppress religious minorities.

103. With regard to State-sponsored terrorism, the Iranian regime had been implicated in the recent attack on the Jewish Cultural Centre in Buenos Aires. Three Iranians in Thailand had been charged with attempting to bomb the

Israeli Embassy in Bangkok; the Iranian Ambassador and four other diplomats had been expelled from Venezuela for attempting to abduct a former employee of the Embassy and the Iranian Consul General had been expelled from Norway on 27 March for activities incompatible with his diplomatic status.

104. There were many other examples of the Government's complicity in terrorist activities outside the country. In Berlin, four Iranians accused of the murder of a Kurdish dissident in September 1992 were on trial and, according to the German Federal Prosecutor, the Iranian Intelligence Minister was also implicated in the murder. The murderers of Dr. Kazam Radjavi had come to Geneva on official passports.

105. Within the Islamic Republic of Iran itself, executions, torture and arbitrary detentions continue to be widespread. A German engineer, who had been imprisoned for five and a half years in Evin prison in northern Tehran, had reported hearing the cries of men and women being tortured for long hours. In some cases, children were tortured to make their parents confess to crimes.

106. The oppression of women had become if anything even more flagrant. According to a statement by the security forces published in a newspaper, women and girls were obliged to cover themselves before they looked out of a window. Women who did not comply with the strict dress code were stoned or flogged. Women were subjected to numerous other restrictions, including being forbidden to watch football games, and being allowed to use only specially allocated taxis.

107. At the beginning of the Sub-Commission's current session, a large demonstration had taken place in the industrial city of Qazvin in protest at the regime's repressive policies and the deteriorating economic situation. The authorities had responded by sending in anti-riot forces. At least 50 people had been killed, hundreds wounded and 3,000 arrested. Many of those arrested faced execution. The President of the National Council of Resistance had called upon the United Nations Secretary-General and the international human rights organizations to send representatives to Iran to investigate the bloody crackdown on the Qazvin demonstration and prevent the execution of those imprisoned.

108. Over the past decade, the repeated condemnations of human rights abuses in the country had been very important in expressing support for the fundamental rights of the Iranian people and exposing the crimes committed by the Government, but they had in no way influenced the behaviour of the Government. Resolutions in themselves were not enough and concrete action was needed by the international community to put a stop to the abuses. The time had come to consider ways by which the case of the Iranian Government could be presented to the Security Council.

109. Mr. Richard BOELE (International Federation for the Protection of the Rights of Ethnic, Religious and other Minorities) said that, while his organization welcomed the Sub-Commission's excellent work on improving the human rights situation in many countries, it was concerned by the widespread disregard of its resolutions and decisions.

110. For example, both the Sub-Commission and the Commission on Human Rights had passed a number of resolutions on human rights in Bougainville. In response to one such resolution, the Papua New Guinea Government had initiated a consultative process toward peace talks but had subsequently cancelled that process. The blockade of Bougainville forces had intensified and Bougainvillians were denied access to medical and other essential supplies, in violation of the Geneva Conventions. Extrajudicial killings by the PNG armed forces continued unabated and the death toll exceeded 5,000.

111. An Australian parliamentary delegation visiting Bougainville in May 1994 had reported that no military solution was possible. Without a peace process, the defence force operations would continue and so would the human rights violations. The Sub-Commission must reaffirm its past resolutions on Bougainville and urge the Government of Papua New Guinea to reconsider its cancellation of the latest peace initiatives.

112. Another example of apparent disregard of the Sub-Commission's resolutions was the continued human rights violations by the Indonesian Javanese Government in Acheh/Sumatra. A report by the United Nations Special Rapporteur on Torture had drawn attention to the systematic use of torture by the military forces, and he suggested that the Sub-Commission should reconsider the draft resolution on arbitrary detention and summary executions in Acheh (Indonesia), that had been submitted to it at its previous session.

113. While the United Nations appeared to be making encouraging progress in improving the situation in East Timor, human rights violations by Indonesian forces were still continuing. In one incident, students who had protested against sacrilegious acts committed by Indonesian soldiers were attacked by military and police forces. During a subsequent demonstration for which permission had been obtained, students were again attacked with bayonets, dogs and tear gas. Many were arrested and about 10 of the students arrested were still missing, raising grave fears for their safety.

114. The Government of Albania, in its continuing efforts to repress the Greek minority, was selectively enforcing outdated laws left over from the communist era. The "Omonia six" had been charged with treason under a law which defined treason as any act which aimed to overturn the proletarian dictatorship or any act against the independence, defence and security of the State. It was clear that the main purpose of the prosecution was to intimidate the Greek minority.

115. One situation which appeared to be significantly improved was that of the Abkhazia-Georgia conflict. However, large-scale violations of human rights had occurred in that conflict because attempts by his organization and others to alert the international community to the potential for violence had been ignored. A similar situation was currently developing in the Chechen Republic in the Northern Caucuses, which had seceded from the Russian Federation in October 1992. Action had to be taken as a matter of urgency if the incipient conflict between Chechen and Russia was not to turn violent, with all the human rights violations which would then inevitably occur.

116. Mrs. Attah resumed the Chair.

117. Mr. CHOEPHEL (International Association of Educators for World Peace) said that his organization was deeply concerned at the lack of any improvement in the human rights situation in Tibet since the Sub-Commission had passed its resolution 1991/10.

118. Two specific cases of late had been the death in custody of a Tibetan nun on 4 June 1994 and the sentencing of five Tibetan males to prison terms of up to 15 years. Those cases were indicative of the continuing systematic denial of the basic human rights of the Tibetan people - freedom of speech, assembly, religion, movement and expression - while the Chinese policy of population transfer and coercive birth control threatened the very survival of a separate Tibetan identity.

119. Of particular concern was the denial of the right of the Tibetan people to self-determination. The Chinese authorities had divided Tibet into a number of supposedly autonomous regions, prefectures or districts which, in fact, had no real control over the execution of policy, the economy or their own resources. While the 1982 Constitution of the People's Republic and the 1984 Law on "Regional Autonomy of Nationalities" in theory gave a degree of power to governments of the different autonomous regions, that power was in practice extremely limited and all real authority remained in Beijing. The imposition in Tibet, with its very different geography, culture and traditional economic system, of China's economic policies had been particularly devastating, and new development projects were aimed at securing political benefits for China and encouraging further Chinese settlement in the area to the detriment of Tibetans.

120. The "autonomy" of the Tibetan regions was further undermined by the dominance at every administrative level of the Chinese Communist Party, whose members and leaders were predominantly non-Tibetan. The autonomy of local administrations was further restricted by the Chinese military, whose presence had been maintained to suppress dissent and enforce communist party policies and had led to numerous human rights violations. In the so-called Tibet Autonomous Region, the role of the Chinese army had been to contain Tibetans within the region while furthering Chinese access to it and maintaining a strong presence on the border with India, Nepal and Bhutan.

121. Religious activities were also severely restricted. Article 11 of the 1994 Law empowered the authorities in Beijing to restrict religious activities in the interests of public order, health and education. Since atheism was a central tenet of Communist Party doctrine, it was unlikely that the Government would allow any relaxation in the future.

122. The systematic discrimination against Tibetans and the total control of their affairs by the Chinese threatened the very existence of a distinct Tibetan cultural, religious and linguistic identity. Immediate action by the international community was essential if that identity were to be saved.

123. Mr. CUNNIAH (International Confederation of Free Trade Unions) said that his organization was gravely concerned at the growing number of gross violations of trade-union rights throughout the world. According to a recent survey, 91 countries had a poor record of respecting basic trade-union rights.

124. The end of the cold war and the establishment of new democracies had not led to a decline in the abuse of workers' rights. It was all the more

worrying when such abuses occurred in countries with a tradition of democracy, where neo-liberal economic policies had led to the erosion of trade-union rights and social protection in an attempt to enhance the "flexibility" of the workforce.

125. Some of the worst violations of trade-union rights had occurred in the countries of Latin America, which remained the most dangerous region for trade unionists. In Colombia alone, 46 trade unionists had been killed and 33 others forced to flee or go into hiding as a result of death threats. During the period 1991 to 1993, the ICFTU had recorded 147 assassinations in Colombia and received reliable information concerning 267 other murders of workers and trade-union activists. He mentioned several recent cases as examples.

126. Such specific cases were part of an overall pattern of systematic and gross violations of trade union rights. The Colombian Government was reluctant to take any effective steps to improve the situation, as had been clear from the veto by the outgoing President, Cesar Gaviria, of a new Act, passed by Congress and supported by the judiciary, which would have made the armed forces answerable to the civilian courts and thereby removed their de facto immunity.

127. The situation in other countries in the region was just as bad. In Haiti, the illegal Government had consistently flouted trade-union rights and urgent action by the international community was needed to restore democracy. In Guatemala, a founder member of the Quetzaltenango Workers' Union had been found murdered on 2 June 1994 and 10 other trade unionists had recently received death threats. The Government of Guatemala should be urged to identify those responsible and bring them to justice.

128. With regard to the situation in Asia, China and Myanmar appeared to have the most overtly repressive records of human and trade-union rights violations, but almost all the countries in the area used a variety of legislation to suppress trade-union activity. Some Governments, led by Malaysia, had argued that international labour standards could not be applied in their societies because conditions were different.

129. The situation in Indonesia was particularly serious. The Government there had imposed severe restrictions on trade-union activity including collective bargaining and strikes, and abolished the right to organize in the public service or in enterprises wholly or partially owned by the Government or local authorities. It was against that repressive background that a young female trade-union activist had been raped and murdered in May 1993, following her involvement in a strike at a watch factory, and other trade unionists had died or disappeared in mysterious circumstances. An employee of PT Industri Karet Deli had been found dead in April 1994 after participating in a strike. A labour activist Mrs. Titi Sugiarti, who had been planning a strike for improved pay and benefits at the PT Kahatex factory in Bandung, had been tortured and murdered.

130. One major cause of industrial unrest in Indonesia was the persistent refusal of the Government to register and recognize the Indonesian Prosperity Trade Union (SBSI), established in April 1992, and the constant harassment of its members. The Government was thus upholding the monopoly position of the SPSI, the only registered national centre.

131. In Medan in North Sumatra, the abuse and harassment of workers and labour activists had been stepped up following recent mass demonstrations and up to 100 people had been arrested. On 26 April 1994, 19 SBSI local leaders and activists had been arrested and charged with conspiracy against the Government. On 24 June 1994, 12 SBSI labour leaders had been arrested in Penatang Siantar. His organization urged the Sub-Commission and the High Commissioner for Human Rights to take action to secure the unconditional and immediate release of all the workers and SBSI activists arrested in connection with the Medan events.

132. Mr. MOTTAGHI-NEJAD (Islamic Republic of Iran), making a statement equivalent to the right of reply to the statement made by the representative of the International Falcon Movement, said that that speaker in fact represented the People's Mojahedin-E Khalq Organization (PMKO) whose activities included indiscriminate murder, terrorism, hijackings and torture. It had been responsible for planting a bomb inside the shrine of Imam Reza, and for the bomb which exploded on 20 June in the city of Mashhad killing 26 pilgrims and injuring 170, some of them seriously. The perpetrator had himself confessed to acting on the orders of PMKO leaders. Apart from causing terrible human suffering, the action had constituted a desecration of an Islamic Shrine and an affront to the cultural, historical and religious values of Muslims.

133. With regard to allegations concerning the murder of Christian clergy in Iran, three other PMKO members - all women - had recently confessed to the murder of the Christian pastors Tateos Michaelian and Mehdi Dibaj. Two of the women involved in the murder of Reverend Michaelian had been arrested on 5 July 1994 at the Shrines of Hazrat Masoumeh and the late Imam Khomeini. The women had confessed to acting on orders from the PMKO leadership based in Iraq.

134. The aim of the PMKO operations was to create ethnic and religious divisions between the Shia and Sunni communities and between Muslims and Christians, who had coexisted peacefully in Iran for many centuries.

135. The baseless allegations made against the Government of Iran originated from the PMKO, a terrorist group whose crimes had affected both Iranians and Iraqi Kurds. Giving credence to those allegations would only serve the interests of the terrorists and result in the loss of more innocent lives.

136. With regard to the allegations made concerning Iran's alleged complicity in the recent bombing of the Jewish Cultural Centre in Buenos Aires, it was entirely without foundation and had been categorically rejected by the Ministry of Foreign Affairs, which had also protested in the strongest terms at the defamation of Iranian officials.

137. The Islamic Republic of Iran had been unjustly accused of complicity in terrorism merely because it wished to pursue its own course irrespective of pressure from outside. Far from being guilty of terrorism, it had itself been the victim of terrorism and a worldwide smear campaign to destroy its good name.

The meeting rose at 6.05 p.m.